

JUL 29 2015 Case 14-cv-00254 Document 284 Filed on 07/29/15 in TXSD Page 1 of 72
RE: USDC-TXSD (Brownsville)
14-cv-254

Natural Born Citizen Party National Committee

July 26 2015

United States District Court
Southern District of Texas
FILED

Clerk of Court

JUL 29 2015

US Court of Appeals for the District of Columbia Circuit

Attn: Deputy Special Counsel to the Clerk, Nancy Dunn 202-216-7313

David J. Bradley, Clerk of Court

333 Constitution Ave NW

Washington, DC 20001

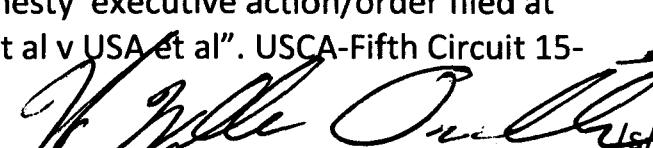
Re: USDC-15-cv-1036 "Natural Born Citizen Party National Committee et al v FEC et al"

Dear Clerks Office:

This is to confirm Natural Born Citizen Party National Committee et al Notice of Appeal with a \$505 check filed with at the USDC-DCD Clerk of the Court.

In addition, Natural Born Citizen Party National Committee et al hereby files motions in this US Court of Appeals for the DC Circuit to consolidate this new Obama eligibility and amnesty executive action/order appeal with the two pending USCA-DCC appeals 14-5325 "Arpaio v Obama et al" (USDC-DCD 14-cv-1966) and 14-5327 "Strunk and Van Allen v DOS et al" (USDC-DCD 14-cv-995).

All this as well as pending Natural Born Citizen Party National Committee et al motions to intervene and consolidate with the multi-state and pending multi-circuit unconstitutional illegal alien amnesty executive action/order filed at USDC-TXSD 14-cv-254 "State of Texas et al v USA et al". USCA-Fifth Circuit 15-40238, 15-4-326, 15-40333, 15-40702.


Harold William Van Allen

Natural Born Citizen Party National Committee
Co-chairperson, 2016 POTUS/CINC Candidate-Elector

351 North Road
Hurley NY 12443
845 389 4366

hvanallen@hvc.rr.com

cc: Clerks of Court: USDC-DCD, USDC-TXSD (Brownsville); USCA-5th Circuit

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Natural Born Citizen Party National Commi

Plaintiff

vs.

Civil Action No. 15-cv-1036

Federal Elections Commission et al

Defendant

NOTICE OF APPEAL

Notice is hereby given this 26th day of July , 2015 , that

Natural Born Citizen Party National Committee et al

hereby appeals to the United States Court of Appeals for the District of Columbia Circuit from

MINUTE ORDER DENYING MOTION TO AMEND COMPLAINT
the judgment of this Court entered on the 22nd day of July , 2015

AS WELL AS MINUTE ORDER 6 JULY 2015

in favor of Federal Elections Commission et al

against said Natural Born Citizen Party National Committee et al


Harold William Van Allen

Attorney or Pro Se Litigant

(Pursuant to Rule 4(a) of the Federal Rules of Appellate Procedure a notice of appeal in a civil action must be filed within 30 days after the date of entry of judgment or 60 days if the United States or officer or agency is a party)

CLERK Please mail copies of the above Notice of Appeal to the following at the addresses indicated:

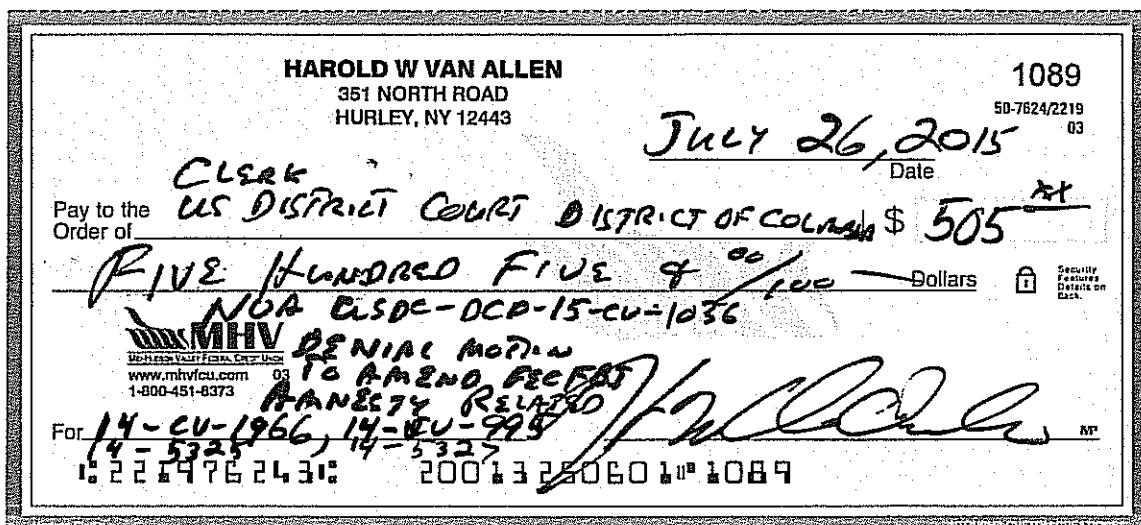
US Attorney General 950 Pennsylvania Ave NW, Washington, DC 20530
US Attorney for the District of Columbia 555 4th St, NW, Washinton, DC 20530
NYS Attorney General, The Capitol, Albany, NY 12224-0341

NOTICE OF APPEAL

USDC - DEC TO USCA - DEC

MOTIONS TO CONSOLIDATE WITH APPEALS

USCA - DEC { 14-5325 ARPAIO V OBAMA
14-5327 STRUNK ET AL V DOD ET AL



NATIONAL BORN CITIZEN PARTY

NATIONAL COMMITTEE ET AL

V
FEC ET AL
FEDERAL ELECTIONS COMMISSION
&

FEDERAL BUREAU OF INVESTIGATION ET AL

CLOSED,JURY,PROSE-NP,TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:15-cv-01036-RJL**

NATURAL BORN CITIZEN PARTY NATIONAL COMMITTEE et al Date Filed: 06/30/2015
v. FEDERAL ELECTION COMMISSION et al Date Terminated: 07/06/2015
Assigned to: Judge Richard J. Leon Jury Demand: Plaintiff
Cases: 1:08-cv-02234-RJL
1:09-cv-01295-RJL
1:10-cv-00486-RCL
1:14-cv-00995-RJL Nature of Suit: 895 Freedom of Information Act
Cause: 05:552 Freedom of Information Act Jurisdiction: U.S. Government Defendant

Plaintiff

**NATURAL BORN CITIZEN PARTY
NATIONAL COMMITTEE**

Plaintiff

HAROLD WILLIAM VAN ALLEN represented by HAROLD WILLIAM VAN ALLEN
351 North Road
Hurley, NY 12443
PRO SE

V.

Defendant

FEDERAL ELECTION COMMISSION

Defendant

FEDERAL BUREAU OF INVESTIGATION

Defendant

U.S. DEPARTMENT OF STATE

Defendant

CENTRAL INTELLIGENCE AGENCY

Defendant

BARACK HUSSEIN OBAMA, II

Defendant

U.S. COPYRIGHT OFFICE

Defendant

NYS BOARD OF ELECTIONS

Date Filed	#	Docket Text
06/30/2015	<u>1</u>	COMPLAINT against CENTRAL INTELLIGENCE AGENCY, FEDERAL BUREAU OF INVESTIGATION, FEDERAL ELECTION COMMISSION, NYS BOARD OF ELECTIONS, BARACK HUSSEIN OBAMA, II, U.S. COPYRIGHT OFFICE, U.S. DEPARTMENT OF STATE (Filing fee \$ 400, receipt number 4616071994) with Jury Demand filed by HAROLD WILLIAM VAN ALLEN, NATURAL BORN CITIZEN PARTY NATIONAL COMMITTEE. (Attachments: # <u>1</u> CES - HVA Combined Brief and Appendix for Appeal 14-10459 w NOM for Cert and OSC (2), # <u>2</u> USCA DCC 14-5327 Strunk et al v DOS et al Appellate Brief filed 4-30-2015, # <u>3</u> USCA DCC 14-5327 Strunk et al v DOS et al Appellant Brief Appendix-Part 1., # <u>4</u> USCA DCC 14-5327 Strunk et al v DOS et al Appellant Brief Appendix-Part 2, # <u>5</u> USCA DCC 14-5327 Strunk et al v DOS et al Appellant Brief Appendix-Part 3, # <u>6</u> USCA DCC 14-5327 Strunk et al v DOS et al Appellant Brief Appendix-Part 4, # <u>7</u> Civil Cover Sheet)(zrdj) (Entered: 07/01/2015)
06/30/2015	<u>2</u>	NOTICE OF RELATED CASE by HAROLD WILLIAM VAN ALLEN. Case related to Case No. 08-cv-02234-RJL, 09-cv-01295-RJL, 10-cv-00486-RCL, 14-cv-00995-RJL (zrdj) (Entered: 07/01/2015)
07/02/2015		SUMMONS (10) Issued as to CENTRAL INTELLIGENCE AGENCY, FEDERAL BUREAU OF INVESTIGATION, FEDERAL ELECTION COMMISSION, NYS BOARD OF ELECTIONS, BARACK HUSSEIN OBAMA, II, U.S. COPYRIGHT OFFICE, U.S. DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (zrdj) (Entered: 07/01/2015)
07/06/2015	<u>3</u>	MEMORANDUM ORDER that Plaintiffs' Petition for Special Writ of Mandamus For Equity Relief and Removal from State Court of Closely Related Natural Born Citizen (New York) State Trial Case(s) and Assignment to a Special Three Judge US District Court With a Special Master [Dkt. #1] is DENIED, and it is further ORDERED that Plaintiffs' Complaint is DISMISSED. SO ORDERED. Signed by Judge Richard J. Leon on 7/6/2015. (jth) (Entered: 07/06/2015)
07/17/2015	<u>4</u>	MOTION for Reconsideration re <u>3</u> MEMORANDUM ORDER by HAROLD WILLIAM VAN ALLEN (jf) (Entered: 07/20/2015)

07/22/2015	MINUTE ORDER denying <u>4</u> Plaintiffs' Motion for Reconsideration of July 6, 2015 Order, Motion for Leave to File Amended Complaint Under Seal and Motion to Consolidate. It is hereby ORDERED that plaintiffs' Motion is DENIED in its entirety. Signed by Judge Richard J. Leon on 7/22/2015. (lcrjl2,) (Entered: 07/22/2015)
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATURAL BORN CITIZEN PARTY)
NATIONAL COMMITTEE, *et al.*,)
Plaintiffs,)
v.) Civil Case No. 15-1036 (RJL)
FEDERAL ELECTIONS COMMISSION,)
et al.,)
Defendants.)

FILED

JUL - 6 2015

MEMORANDUM ORDER

(July 6, 2015) [Dkt. #1]

Clerk, U S District & Bankruptcy
Courts for the District of Columbia

Pro se plaintiffs Natural Born Citizen Party National Committee and Harold William Van Allen (together, “plaintiffs”) filed the instant action on July 1, 2015. *See* Complaint with Petition for Special Writ of Mandamus for Equity Relief [Dkt. #1]. Upon consideration of plaintiffs’ papers and the relevant law, the Court DENIES plaintiffs’ Petition for a Special Writ of Mandamus for Equity Relief,¹ and DISMISSES plaintiffs’ Complaint in its entirety.

The Federal Rules of Civil Procedure are clear that although “[n]o technical form is required,” pleadings must be “simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). The Court is mindful, of course, that complaints filed by *pro se* litigants are held to less stringent standards than those applied to formal pleadings drafted by lawyers. *See Haines*

¹ The Court also DENIES plaintiffs’ additional requests contained therein for Removal from State Court of Closely Related National Born Citizen (New York) State Trial Court Case(s) and Assignment to a Special Three Judge U.S. District Court with a Special Master. *See* [Dkt. #1].

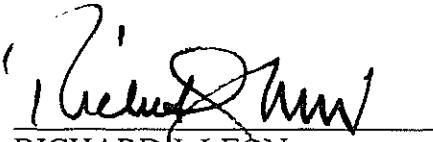
v. Kerner, 404 U.S. 519, 520 (1972). Despite this less stringent standard, however, I am unable to glean from the plaintiffs' papers any legitimate grounds for granting the relief they are seeking. The statements contained in the plaintiffs' pleadings are, moreover, neither simple nor concise, and as such, fall well short of Rule 8(d)(1)'s requirements.

Accordingly, it is hereby

ORDERED that Plaintiffs' Petition for Special Writ of Mandamus For Equity Relief and Removal from State Court of Closely Related Natural Born Citizen (New York) State Trial Court Case(s) and Assignment to a Special Three Judge US District Court With a Special Master [Dkt.#1] is **DENIED**, and it is further

ORDERED that Plaintiffs' Complaint is **DISMISSED**.

SO ORDERED.



RICHARD L. LEON
United States District Judge

General Docket
United States Court of Appeals for District of Columbia Circuit

Court of Appeals Docket #: 14-5325	Docketed: 12/29/2014
Nature of Suit: 2899 Other Statutes	
Joseph Arpaio v. Barack Obama, et al	
Appeal From: United States District Court for the District of Columbia	
Fee Status: Fee Paid	
Case Type Information:	
1) Civil US	
2) United States	
3)	
Originating Court Information:	
District: 0090-1 : 1:14-cv-01966-BAH	Lead: 1:14-cv-01966-BAH
Court Reporter: Barbara De Vico, Court Reporter	
Trial Judge: Beryl A. Howell, U.S. District Judge	
Date Filed: 11/20/2014	
Date Order/Judgment: 12/23/2014	Date NOA Filed: 12/23/2014

03/24/2015	PER CURIAM ORDER filed [1543948] denying the motion of Harold William Van Allen, pro se, to participate as amicus curiae [1540421-2] in 14-5325 [14-5325]
04/20/2015	PER CURIAM ORDER filed [1548075] allocating oral argument time as follows: Appellant - 15 Minutes, Appellees - 15 Minutes. One counsel per side to argue; directing party to file Form 72 notice of arguing attorney by 04/27/2015 [14-5325]
04/20/2015	ENTRY OF APPEARANCE [1548088] filed by Benjamin C. Mizer on behalf of Appellees Eric H. Holder, Jr., Jeh Charles Johnson, Barack Obama and Leon Rodriguez. [14-5325] (Mizer, Benjamin)
04/20/2015	FORM 72 submitted by arguing attorney, Benjamin C. Mizer, on behalf of Appellees Eric H. Holder, Jr., Jeh Charles Johnson, Barack Obama and Leon Rodriguez (<i>For Internal Use Only: Form is restricted to protect counsel's personal contact information</i>). [14-5325] (Mizer, Benjamin)
04/24/2015	FORM 72 submitted by arguing attorney, Beth S. Brinkmann, on behalf of Appellees Eric H. Holder, Jr., Jeh Charles Johnson, Barack Obama and Leon Rodriguez (<i>For Internal Use Only: Form is restricted to protect counsel's personal contact information</i>). [14-5325] (Havemann, William)
04/24/2015	FORM 72 submitted by arguing attorney, Larry Klayman, on behalf of Appellant Joseph M. Arpaio (<i>For Internal Use Only: Form is restricted to protect counsel's personal contact information</i>). [14-5325] (Klayman, Larry)
04/29/2015	LETTER FILED [1549743] by Eric H. Holder, Jr., Jeh Charles Johnson, Barack Obama and Leon Rodriguez pursuant to FRAP 28j advising of additional authorities [Service Date: 04/29/2015] [14-5325] (Clair, Jeffrey)
05/04/2015	ORAL ARGUMENT HELD before Judges Brown, Srinivasan and Pillard. [14-5325]
06/05/2015	TRANSCRIPT [1556055] of oral argument [14-5325]

06/10/2015 ■ NOTICE FILED [1556689] by Joseph M. Arpaio Of New, Supplemental Authority.
[Service Date: 06/10/2015] [14-5325] (Klayman, Larry)

**General Docket
United States Court of Appeals for District of Columbia Circuit**

Court of Appeals Docket #: 14-5327 **Docketed:** 12/29/2014

Nature of Suit: 2890 Other Statutory Actions

Christopher Strunk, et al v. DOS, et al

Appeal From: United States District Court for the District of Columbia

Fee Status: IFP

Case Type Information:

- 1) Civil US
- 2) United States
- 3)

Originating Court Information:

District: 0090-1 : 1:14-cv-00995-RJL

Lead: 1:14-cv-00995-RJL

Trial Judge: Richard J. Leon, U.S. District Judge

Date Filed: 06/10/2014

Date Order/Judgment: 11/10/2014 **Date NOA Filed:** 12/10/2014

Prior Cases:

None

Current Cases:

None

Panel Assignment: Not available

Christopher Earl Strunk

Plaintiff - Appellant

Christopher Earl Strunk

Direct: 845-901-6767

[NTC Pro Se]

Firm: 212-307-4444

593 Vanderbilt Avenue
#281

Brooklyn, NY 11238

Harold W. Van Allen

Plaintiff - Appellant

Harold W. Van Allen

Direct: 845-389-4366

Email: hvanallen@hvc.rr.com

[NTC Pro Se]

Firm: 845-389-4366

351 North Road
Hurley, NY 12443

United States Department of State Defendant - Appellee	R. Craig Lawrence Email: craig.lawrence@usdoj.gov [LD NTC Gvt US Attorney] U.S. Attorney's Office (USA) Civil Division Firm: 202-252-2500 555 4th Street, NW Washington, DC 20530
Central Intelligence Agency Defendant - Appellee	R. Craig Lawrence [LD NTC Gvt US Attorney] (see above)
Barack Hussein Obama Defendant - Appellee	R. Craig Lawrence [LD NTC Gvt US Attorney] (see above)
US Copyright Office Defendant - Appellee	R. Craig Lawrence [LD NTC Gvt US Attorney] (see above)
Eric H. Holder, Jr., US Attorney General Terminated: 05/01/2015 Defendant - Appellee	
Loretta E. Lynch, US Attorney General Defendant - Appellee	R. Craig Lawrence [LD Gvt US Attorney] (see above)
New York State Board of Elections Defendant - Appellee	
Christopher Earl Strunk; Harold W. Van Allen, Plaintiffs - Appellants v. United States Department of State; Central Intelligence Agency; Barack Hussein Obama; US Copyright Office; Loretta E. Lynch, US Attorney General; New York State Board of Elections, Defendants - Appellees	
12/29/2014	US CIVIL CASE docketed. [14-5327]
12/29/2014 17 pg, 1.65 MB	NOTICE OF APPEAL filed [1529431] by Christopher Earl Strunk and Harold W. Van Allen seeking review of a decision by the U.S. District Court in 1:14-cv-00995-RJL. Assigned USCA Case Number [14-5327]

12/29/2014	8 pg, 625.47 KB	CLERK'S ORDER filed [1529434] directing party to file motion to proceed on appeal in forma pauperis or payment of docketing fee. APPELLANT payment of docketing fee or motion to proceed IFP in district court due 01/28/2015, Failure to respond shall result in dismissal of the case for lack of prosecution; The Clerk is directed to mail this order to appellant by certified mail, return receipt requested and by 1st class mail. [14-5327]
12/29/2014		FIRST CLASS MAIL SENT [1529441] of order [1529434-2] to both appellants [14-5327]
12/29/2014		CERTIFIED MAIL SENT [1529442] with return receipt requested [Receipt No.7007 0710 0004 7190 2782 for Strunk, and 7007 0710 0004 7190 2799 for Van Allen] of order [1529434-2]. Certified Mail Receipt due 01/28/2015 from Christopher Earl Strunk and Harold W. Van Allen. [14-5327]
01/08/2015		CERTIFIED MAIL RECEIPT [1531377] RECEIVED from Rob Wharf for order [1529442-2] sent to Appellant Christopher Earl Strunk [14-5327]
01/08/2015		CERTIFIED MAIL RECEIPT [1531425] RECEIVED from Harold Van Allen [signed for on 01/05/2015] for order [1529442-2] sent to Appellant Harold W. Van Allen [14-5327]
01/23/2015	20 pg, 1.19 MB	MOTION filed [1534672] by Harold W. Van Allen leave to proceed ifp in the district court [Service Date: 01/28/2015] Pages: 1-10. [14-5327]
01/23/2015	19 pg, 1.18 MB	MOTION filed [1534674] by Harold W. Van Allen for judicial notice. [Service Date: 01/28/2015] Pages: 1-10. [14-5327]
01/28/2015	1 pg, 39.51 KB	CLERK'S ORDER filed [1534679] referring motion ifp in district court [1534672-2] to the district court for consideration., holding case in abeyance. Case 14-5327 held in abeyance pending IFP decision in 1:14cv995-RJL from U.S. District Court; The Clerk is directed to transmit a copy of this order and the original motion to the district court. [14-5327]
01/30/2015	4 pg, 38.34 KB	NOTICE [1535125] filed from Clerk, District Court leave to proceed ifp in the district court is granted for Harold W. Van Allen [Case Number 14-5327: IFP] [14-5327]
01/30/2015	9 pg, 870.7 KB	MOTION filed [1535393] by Christopher Earl Strunk leave to proceed ifp in the district court [Service Date: 01/26/2015] Pages: 1-10. [14-5327]
02/02/2015	1 pg, 39.04 KB	CLERK'S ORDER filed [1535394] referring appellant Strunk's motion ifp in district court [1535393-2] to the district court for consideration. Case 14-5327 held in abeyance pending decision in 1:14cv995-RJL from U.S. District Court; The Clerk is directed to transmit a copy of this order and the original motion to the district court. [14-5327]
02/04/2015	78 pg, 1.92 MB	MOTION filed [1536137] by Harold W. Van Allen for judicial notice. (Response to Motion served by mail due on 02/20/2015) [Service Date: 02/05/2015 by Clerk] Pages: 1-10. [14-5327]
02/04/2015		MOTION filed [1536139] by Harold W. Van Allen for judicial notice.[Electronic Version Unavailable, Original Paper Document in File] (Response to Motion served by mail due on 02/20/2015) [Service Date: 02/05/2015 by Clerk] Pages: 1-10. [14-5327]
02/11/2015	50 pg, 2.78 MB	NOTICE FILED [1537275] by Christopher Earl Strunk of filing in Supreme Court. [Service Date: 02/11/2015] [14-5327]

02/19/2015	█ 195 pg, 7.77 MB	MOTION filed [1538853] by Harold W. Van Allen for judicial notice. (Response to Motion served by mail due on 03/02/2015) [Service Date: 02/17/2015 by Email] Pages: 1-10. [14-5327]
03/09/2015	█ 5 pg, 41.81 KB	NOTICE [1541400] filed from Clerk, District Court leave to proceed ifp in the district court is granted for Christopher Strunk [Case Number 14-5327: IFP] [14-5327]
03/10/2015	█ 2 pg, 46.49 KB	CLERK'S ORDER filed [1541568] setting briefing schedule: APPELLANTS Brief due 04/29/2015. APPENDIX due 04/29/2015, Failure to respond shall result in dismissal of the case for lack of prosecution; The Clerk is directed to mail this order to appellant by certified mail, return receipt requested and by 1st class mail., removing case from abeyance [14-5327]
03/10/2015		FIRST CLASS MAIL SENT [1541582] of order [1541568-4] to appellant [14-5327]
03/10/2015		CERTIFIED MAIL SENT [1541585] with return receipt requested [Receipt No.7007 0710 0004 7190 7978] of order [1541568-6]. Certified Mail Receipt due 04/09/2015 from Christopher Earl Strunk. [14-5327]
03/10/2015		CERTIFIED MAIL SENT [1541586] with return receipt requested [Receipt No.7007 0710 0004 7190 7961] of order [1541568-6]. Certified Mail Receipt due 04/09/2015 from Harold W. Van Allen. [14-5327]
03/20/2015		CERTIFIED MAIL RECEIPT [1543735] RECEIVED from Harold Van Allen [signed for on 03/16/2015] for order [1541586-2] sent to Appellant Harold W. Van Allen [14-5327]
04/30/2015	█ 22 pg, 760.47 KB	APPELLANT BRIEF [1550157] filed by Christopher Earl Strunk and Harold W. Van Allen [Service Date: 05/01/2015] Length of Brief: 3772 words. [14-5327]
04/30/2015	█ 437 pg, 38.5 MB	APPENDIX [1550250] filed by Christopher Earl Strunk and Harold W. Van Allen. [Volumes: 1] [Service Date: 05/01/2015] [14-5327]
05/05/2015	█ 1 pg, 92.24 KB	CERTIFIED MAIL RECEIPT [1550747] RECEIVED from Christopher Strunk [signed for on 04/15/2015] for order [1541585-2] sent to Appellant Christopher Earl Strunk [14-5327]
07/21/2015	█ 1 pg, 38.95 KB	PER CURIAM ORDER filed [1563494] that the court will dispose of the appeal without oral argument on the basis of the record and presentations in the briefs pursuant to Fed. R. App. 34(a)(2); D.C.Cir.Rule 34(j). Before Judges: Rogers, Millett and Wilkins. [14-5327]
07/21/2015	█ 1 pg, 37.71 KB	[THIS JUDGMENT VACATED BY ORDER OF 07/21/15] PER CURIAM JUDGMENT filed [1563505] (without memorandum), dismissing as moot 01/23/15 motion for judicial notice [1534674-2]; denying February 4 and February 19, 2015 motions for judicial notice [1538853-2], [1536139-2], [1536137-2], FURTHER ORDERED AND ADJUDGED that the district court's orders filed on June 16 and November 10, 2014 be affirmed. (SEE JUDGMENT FOR DETAILS) withholding issuance of the mandate. Before Judges: Rogers, Millett and Wilkins. [14-5327]
07/21/2015	█ 1 pg, 37.71 KB	CLERK'S ORDER filed [1563551] ORDERED on the court's own motion, that the judgment issued July 21 ,2015, be vacated as entered in error [1563505-2] [14-5327]

Case Selection Page

Case Number Title	Opening Date	Last Docket Entry	Originating Case Number Origin
15-40238 <u>State of Texas, et al v. USA, et al</u>	02/23/2015	07/15/2015 11:33:41	0541-1 : <u>1:14-CV-254</u> Southern District of Texas, Brownsville
15-40326 <u>State of Texas, et al v. USA, et al</u>	03/06/2015	07/15/2015 13:39:53	0541-1 : <u>1:14-CV-254</u> Southern District of Texas, Brownsville
15-40333 <u>State of Texas, et al v. USA, et al</u>	03/10/2015	07/10/2015 12:56:28	0541-1 : <u>1:14-CV-254</u> Southern District of Texas, Brownsville
15-40702 <u>State of Texas, et al v. USA, et al</u>	05/19/2015		0541-1 : <u>1:14-CV-254</u> Southern District of Texas, Brownsville

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

USDC-DCD -15-cv-1036-RJL

X

**NATURAL BORN CITIZEN PARTY
NATIONAL COMMITTEE
AND HAROLD WILLIAM VAN ALLEN
(NBCP NATIONAL CO- CHAIRPERSON & 2016 POTUS-CINC CANDIDATE-ELECTOR)**

351 NORTH ROAD, HURLEY NY 12443 845-389-4366 hvanallen@hvc.rr.com
AND THOSE ESTIMATED EXCESS OF 50,000,000 SIMILARLY SITUATED NATURAL BORN U.S.
CITIZENS INCLUDING RELATED CASE 14-cv-00995-RJL CHRISTOPHER EARL STRUNK

Plaintiffs

V

FEDERAL ELECTIONS COMMISSION

999 E Street NW; Washington DC 20463

FEDERAL BUREAU OF INVESTIGATION

935 PENNSYLVANIA AVE, NW; WASHINGTON DC 20535-0001

And other defendants in related case USDC-DCD 14-cv-00995-RJL Including:

US DEPARTMENT OF STATE; 2201 C Street NW; Washington DC 20520

CENTRAL INTELLIGENCE AGENCY; Washington DC 20505

BARACK HUSSEIN OBAMA II; 1600 Pennsylvania Ave NW; Washington, DC 20500

US COPYRIGHT OFFICE; 101 Independence Ave SE; Washington, DC 20559-6000

NYS Board of Elections by its agents at 40 North Pearl St Suite 5; Albany, NY 12207-2729

Defendants

US ATTORNEY GENERAL; 950 Pennsylvania Ave NW, Washington, DC 20530

NYS ATTORNEY GENERAL; The Capitol, Albany, NY 12224-0341

**MOTION FOR RECONSIDERATION JULY 6, 2015 ORDER,
MOTION FOR LEAVE TO FILE AMENDED COMPLAINT UNDER
SEAL**

**MOTION TO CONSOLIDATE
WITH MULTI-STATE CIVIL ACTION**

**USDC-TXSD (BROWNSVILLE) 14-cv-254-ASH
ADMINISTRATIVE PROCEDURE ACT ADDED CAUSE OF ACTION
REGARDING 2016 ELECTION OF NATURAL BORN CITIZEN POTUS/CinC**

COMPLAINT with Petition for Assignment to Special Three Judge District Court
and Petition for Writ of Mandamus

**AMNESTY OF ILLEGAL IMMIGRANTS AND ORGANIZED CRIME COMBATANTS VIA
UNCONSTITUTIONAL EXECUTIVE ACTIONS**

**SEALED COMPLAINT and PETITION
ADMINISTRATIVE PROCEDURES ACT 5 U.S.C. Chapter 5
FBI FOIA RE: ORGANIZED INTERNATIONAL CRIMINAL
CONTROL OF FEDERAL AND STATE ELECTIONS FREEDOM
OF INFORMATION ACT APPEAL 5 U.S.C. § 552,
And
FEC FOR A SPECIAL WRIT OF MANDAMUS FOR EQUITY
RELIEF OF
28 U.S.C. § 2201 and 2202
And
REMOVAL FROM STATE COURT OF CLOSELY RELATED
NATURAL BORN CITIZEN (NEW YORK) STATE TRIAL
COURT CASE(S)
And finally
ASSIGNMENT TO A SPECIAL MULTI-CIRCUIT THREE
JUDGE US DISTRICT COURT
WITH A SPECIAL MASTER UNDER 28 U.S.C. § 2284
CONTROLLING DISPURSMENT OF NATURAL BORN
CITIZEN PARTY \$5 BILLION 2016 NATURAL BORN
CITIZEN CANDIDATE-ELECTOR VETTING**

CLERK'S OFFICE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CO-932
Rev. 4/96

**NOTICE OF DESIGNATION OF RELATED CIVIL CASES PENDING
IN THIS OR ANY OTHER UNITED STATES COURT**

Civil Action No. _____
(To be supplied by the Clerk)

NOTICE TO PARTIES:

Pursuant to Rule 40.5(b)(2), you are required to prepare and submit this form at the time of filing any civil action which is related to any pending cases or which involves the same parties and relates to the same subject matter of any dismissed related cases. This form must be prepared in sufficient quantity to provide one copy for the Clerk's records, one copy for the Judge to whom the cases is assigned and one copy for each defendant, so that you must prepare 3 copies for a one defendant case, 4 copies for a two defendant case, etc.

NOTICE TO DEFENDANT:

Rule 40.5(b)(2) of this Court requires that you serve upon the plaintiff and file with your first responsive pleading or motion any objection you have to the related case designation.

NOTICE TO ALL COUNSEL

Rule 40.5(b)(3) of this Court requires that as soon as an attorney for a party becomes aware of the existence of a related case or cases, such attorney shall immediately notify, in writing, the Judges on whose calendars the cases appear and shall serve such notice on counsel for all other parties.

The plaintiff, defendant or counsel must complete the following:

I. RELATIONSHIP OF NEW CASE TO PENDING RELATED CASE(S).

A new case is deemed related to a case pending in this or another U.S. Court if the new case: [Check appropriate box(es) below.]

- (a) relates to common property
- (b) involves common issues of fact
- (c) grows out of the same event or transaction
- (d) involves the validity or infringement of the same patent
- (e) is filed by the same pro se litigant

2. RELATIONSHIP OF NEW CASE TO DISMISSED RELATED CASE(ES)

A new case is deemed related to a case dismissed, with or without prejudice, in this or any other U.S. Court, if the new case involves the same parties and same subject matter.

Check box if new case is related to a dismissed case:

3. NAME THE UNITED STATES COURT IN WHICH THE RELATED CASE IS FILED (IF OTHER THAN THIS COURT):

USDC-TXSD UNITED STATES DISTRICT COURT - TEXAS SOUTHERN DISTRICT (BROWNSVILLE DIVISION)

4. CAPTION AND CASE NUMBER OF RELATED CASE(E-S). IF MORE ROOM IS NEED PLEASE USE OTHER SIDE.

STATE OF TEXAS ET AL	v.	USA ET AL	C.A. No. 14-cv-254
----------------------	----	-----------	--------------------

July 16, 2015

DATE

Signature of Plaintiff /Defendant (or counsel)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATURAL BORN CITIZEN PARTY)
NATIONAL COMMITTEE, *et al.*,)
Plaintiffs,)
v.) Civil Case No. 15-1036 (RJL)
FEDERAL ELECTIONS COMMISSION,)
et al.,)
Defendants.)

FILED

JUL - 6 2015

MEMORANDUM ORDER

(July 6, 2015) [Dkt. #1]

Clerk, U S District & Bankruptcy
Courts for the District of Columbia

Pro se plaintiffs Natural Born Citizen Party National Committee and Harold William Van Allen (together, “plaintiffs”) filed the instant action on July 1, 2015. *See* Complaint with Petition for Special Writ of Mandamus for Equity Relief [Dkt. #1]. Upon consideration of plaintiffs’ papers and the relevant law, the Court DENIES plaintiffs’ Petition for a Special Writ of Mandamus for Equity Relief,¹ and DISMISSES plaintiffs’ Complaint in its entirety.

The Federal Rules of Civil Procedure are clear that although “[n]o technical form is required,” pleadings must be “simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). The Court is mindful, of course, that complaints filed by *pro se* litigants are held to less stringent standards than those applied to formal pleadings drafted by lawyers. *See Haines*

¹ The Court also DENIES plaintiffs’ additional requests contained therein for Removal from State Court of Closely Related National Born Citizen (New York) State Trial Court Case(s) and Assignment to a Special Three Judge U.S. District Court with a Special Master. *See* [Dkt. #1].

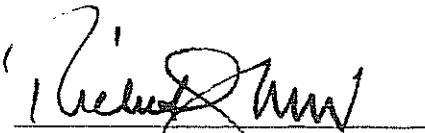
v. Kerner, 404 U.S. 519, 520 (1972). Despite this less stringent standard, however, I am unable to glean from the plaintiffs' papers any legitimate grounds for granting the relief they are seeking. The statements contained in the plaintiffs' pleadings are, moreover, neither simple nor concise, and as such, fall well short of Rule 8(d)(1)'s requirements.

Accordingly, it is hereby

ORDERED that Plaintiffs' Petition for Special Writ of Mandamus For Equity Relief and Removal from State Court of Closely Related Natural Born Citizen (New York) State Trial Court Case(s) and Assignment to a Special Three Judge US District Court With a Special Master [Dkt.#1] is **DENIED**, and it is further

ORDERED that Plaintiffs' Complaint is **DISMISSED**.

SO ORDERED.



RICHARD A. LEON
United States District Judge

U.S. Department of Justice



Federal Bureau of Investigation
Washington, D.C. 20535

July 7, 2015

MR. HAROLD WILLIAM VAN ALLEN
351 NORTH ROAD
HURLEY, NY 12443

Request No.:NFP-47650
Subject: ESTIMATE OF FBI FOIA
RELATED EFFORTS TO SEARCH VITAL
STATISTICS FOR EVERY US CITIZEN ETC.

Dear Mr. Van Allen:

This is in response to your Freedom of Information Act (FOIA) request regarding estimates of FBI FOIA related efforts to search vital statistics for every US citizen etc.

The FOIA does not require federal agencies to answer inquiries, create records, conduct research, or draw conclusions concerning queried data. Rather the FOIA requires agencies to provide access to reasonably described, nonexempt records. The questions posed in the referenced letter are not FOIA requests because they do not comply with the FOIA and its regulations.

For questions on how to reasonably describe your request, please email us at foipaquestions@ic.fbi.gov. You may also visit www.fbi.gov and select "Stats and Services," "FOIA/Records Requests," and "Requesting FBI Records" for additional guidance.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number in any correspondence to us for proper identification of your request.

Enclosed for your information is a copy of the FBI Fact Sheet.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Hardy".

David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure

U.S. DISTRICT COURT
FILED

MAR 12 2015

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

Clerk of Court: 600 E. Harrison St. #101 Brownsville, TX 78520 (956)548-2500

STATE OF TEXAS, et al.

Plaintiffs,

v.

Case No. 1:14-cv-00254-ASH

UNITED STATES OF AMERICA, et al.

Defendants

**MOTION FOR LEAVE TO FILE THIS EMERGENCY
INTERVENTION CHALLENGING THE STANDING OF
NON-NATURAL BORN CITIZEN DEFENDANT
BARACK OBAMA -- THE SON OF A NON-US CITIZEN -
- AND THE STANDING OF HIS ADMINISTRATIVLY
SUBORDINATE APPOINTED AGENCIES (DHS et al.)
SECRETARIES/ DIRECTORS.**

**IN THIS CASE OF UNCONSTITUTIONAL EXECUTIVE
ADMINISTRATIVE ACTION OR EXECUTIVE
ORDERED ILLEGAL IMMIGRANT AMNESTY AS
WELL AS CONTEMPT OF INJUNCTION.**

**STANDING OF MOVANT TO INTERVENE TO
CHALLENGE THE STANDING OF NON-NATURAL
BORN CITIZEN BARACK OBAMA**

**HAROLD WILLIAM VAN ALLEN – documented US citizen, military veteran (naval commissioned line officer), and registered federal and NYS voter residing at [REDACTED]
[REDACTED] Hurley, NY 12443**

-- a natural born US citizen of the State of Indiana (Lafayette) b. [REDACTED] 1951 the product of two natural born US citizens – mother a US natural born citizen of Illinois (Chicago) b. [REDACTED] 1913 the product of US natural born citizens of Vermont -- and father a US natural born citizen of Pennsylvania (Pittsburgh) b. [REDACTED], 1913 the product of US natural born citizens of South Carolina and Virginia.

And now having been granted amicus (EXHIBIT A) in the originating multi-state litigation USDC-TXSD B-14-cv-254 “STATE OF TEXAS, ET AL. v UNITED STATES OF AMERICA, ET AL.)



Harold William Van Allen

CERTIFICATION OF ELECTRONIC SERVICE

THIS Tuesday, March 10, 2015 on:

1:14-cv-00254 Notice has been electronically mailed to:

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Jonathon Alden Moseley Contact@JonMoseley.com

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Ryan S Post ryan.post@nebraska.gov

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sabrina.wycoff@texasattorneygeneral.gov, vera.calamus@texasattorneygeneral.gov

HAROLD W. VAN ALLEN		762
PH. (845) [REDACTED]		
HURLEY, NY 10443-6080		DATE <u>3/10/2015</u> E-74577250
TEXAS SOUTHERN DISTRICT BROWNSVILLE		<u>CLERK US DISTRICT COURT</u>
PAY TO THE ORDER OF:	\$ <u>505</u>	
<u>FIVE HUNDRED AND FIVE</u>		<u>00</u> /100 DOLLARS
NAME <u>B-14-254</u> FEDERAL CREDIT UNION VIERA, VIRGINIA WWW.FFCU.VG APPEAL-MANDAMUS FOR STANDING OF DEFENDANT		

H.W. Allen

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

Clerk of Court: 600 S. Maestri Place; New Orleans, LA 70130-3408 (804) 310-7700

IN RE: HAROLD WILLIAM VAN ALLEN

PETITIONER

15-XXXXX-OP

RELATED ORIGINATING CASES

USDC-TXSD BROWNSVILLE DIVISION

DOCKET 14-cv-254

USCA-5C DOCKET 15-40238

ORIGINAL PETITION / SPECIAL WRIT

HAROLD WILLIAM VAN ALLEN – documented US citizen, military veteran (Navy), resident and registered federal and NYS voter residing at [REDACTED], NY 12443

-- a natural born US citizen of the State of Indiana (Lafayette) [REDACTED] 1951 the product of two natural born US citizens of Illinois (Chicago) and Pennsylvania (Pittsburgh)

and now having been granted amicus (EXHIBIT A) in the originating multi-state litigation USDC-TXSD B-14-cv-254

"STATE OF TEXAS, ET AL. v UNITED STATES OF AMERICA, ET AL.)

I request leave of the court to file this Original Proceeding or special writ seeking this US COURT OF APPEALS for the Fifth Circuit undertake as a trial court the vetting of aka Barack Obama eligibility qualifications to hold office of POTUS/CINC and to self-execute under administrative procedure act a blank amnesty of millions of undocumented aliens.



Harold William Van Allen

CERTIFICATION OF ELECTRONIC SERVICE

THIS Wednesday, March 4, 2015 on:

1:14-cv-00254 Notice has been electronically mailed to:

Adam Nicholas Bitter adam.bitter@texasattorneygeneral.gov,
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Adam P KohSweeney akohsweeney@omm.com

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
ENTERED

STATE OF TEXAS, ET AL.,
Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.,
Defendants.

§
§
§
§
§
§

FEB 20 2015

David J. Bradley, Clerk of Court
CIVIL NO. B-14-254

ORDER

Before the Court is Defendant-Intervenors' Motion for Leave to Proceed Under Pseudonyms [Doc. No. 92], Motion for Leave of Court to File Amicus Brief in Support of Plaintiffs' Motion for Preliminary Injunction by Joe Arpaio as Sheriff of Maricopa County [Doc. No. 107], and Harold William Van Allen's Motion for Leave to File Amicus [Doc. No. 139].

The Court, after due consideration, hereby denies Defendant-Intervenors' Motion for Leave to Proceed Under Pseudonyms [Doc. No. 92] as moot, grants the Motion for Leave of Court to File Amicus Brief in Support of Plaintiffs' Motion for Preliminary Injunction by Joe Arpaio as Sheriff of Maricopa County [Doc. No. 107], and grants Harold William Van Allen's Motion for Leave to File Amicus [Doc. No. 139].

Signed this 15th day of February, 2015.



Andrew S. Hanen
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

Clerk of Court: 600 E. Harrison St. #101 Brownsville, TX 78520 (956)548-2500

STATE OF TEXAS, et al .

Plaintiffs,

v.

Case No. 1:14-cv-00254-ASH

UNITED STATES OF AMERICA, et al.

Defendants

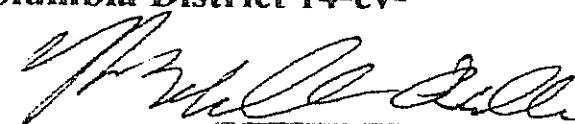
MOTION for Leave to File in support of plaintiffs as an Amicus in a related and already docketed (doc # 108) case “Arpaio v Obama” USCA-DCC 14-cv-5325 and related case USCA-DCC 14-cv-5327 “Strunk et al. v US Department of State et al.

“NOTICE OF MOTION TO SEAL AND …” in this court as a related multi-state unconstitutional executive amnesty litigation matter “State of Texas et al. v United States of America et al.” 14-cv-254-ASH USDC-TXSD.

01/20/2015 108 MOTION for Leave to File Amicus Brief in Support of Plaintiffs' Motion for Preliminary Injunction by Joe Arpaio as Sheriff of Maricopa County by Joe Arpaio. filed. Motion Docket Date 2/10/2015.
(Attachments: # 1 Proposed Order, # 2 Amicus Brief in Support of Plaintiffs' Motion for Preliminary Injunction by Joe Arpaio as Sheriff of Maricopa County)(jtabares, 1) (Entered: 01/20/2015)

Filed by Harold William Van Allen pro se non-attorney
Plaintiff/Appellant United States Court of Appeals for the
District of Columbia Circuit 14-cv-5327 and United States
District Court for the District of Columbia District 14-cv-
995-RJL

2/8/2015



H. William Van Allen

351 North Road Hurley, NY 12443

(845) 389-4366

hvanallen@hvc.rr.com

Certificate of electronic service this date Sunday, February 8, 2015 upon:

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CEStrunk@yahoo.com

Case 1:14-cv-00995-RJL Document 9 Filed 12/10/14 Page 10 of 12

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CHRISTOPHER EARL STRUNK

593 Vanderbilt Avenue PMB 281 NYC, NY 11238
845-901-6767 chris@strunk.ws.

and H. WILLIAM VAN ALLEN

351 North Road Hurley NY 12443
845-389-4366 hvanallen@hvc.it.com

Case No.: 14-cv-00995 (RJL.)

Plaintiffs.

NOTICE OF MOTION

TO SEAL AND

U.S. DEPARTMENT OF STATE (DOS) by
JOHN F. KERRY (SOS) at 2201 C Street NW
Washington, DC 20520 TTY: 1-800-877-8339
CENTRAL INTELLIGENCE AGENCY
by JOHN O. BRENNAN, DCI
Washington, D.C. 20505 fax: (571) 204-3800
BARACK HUSSEIN OBAMA II
1600 Pennsylvania Ave. NW Washington DC 20500
U.S. COPYRIGHT OFFICE
101 Independence Avenue SE
Washington, DC 20559-6000 (202) 707-3000
and THE NEW YORK STATE BOARD
OF ELECTIONS and its agents at
40 North Pearl Street, Suite 5
Albany, NY 12207-2729 Fax (518) 486-4068

[REDACTED]

[REDACTED]

Defendants.

ERIC HOLDER, US ATTORNEY GENERAL
450 Pennsylvania Ave NW Washington DC 20530

PLEASE TAKE NOTICE that upon the annexed affidavit of Christopher-Earl Strunk
affirmed November 8, 2014 with exhibits will move with Fed Rules of Civil Procedure and
Local Rules to Seal the Case and [REDACTED]
until further notice as supplement to the Motion Reargue the Order to Dismiss entered June 16,
2014 in order to Supplement the Complaint filed 10 June 2014 with Fed. R. Civ. P. Rule
15(a)(1)(A), and Rule 19(a)(1)(A)(B), heard before the Honorable Richard J. Leon USDIJ at the

Case 1:14-cv-00995-RJL Document 9 Filed 12/10/14 Page 11 of 12

designated Courtroom in the Courthouse at 333 Constitution Avenue NW Washington DC 20001, before the 24th day of November 2014, at a time designated by the Court or as soon thereafter as counsel can be heard.

Dated: Brooklyn, New York
November 8th, 2014

/s/

Christopher-Earl: Strunk in esse Sui juris
secured beneficiary agent of the Debtor Trust
transmitting utility™CHRISTOPHER EARL
STRUNK Plaintiff, the Executor and Settlor
for the Express Deed In Trust To The United
States Of America, located at
593 Vanderbilt Avenue - PMB 281
Brooklyn, New York Zipcode excepted 11238
Cell: 845-901-6767 Email: chris@strunk.ws

SERVICE LIST:

PERSONAL & CONFIDENTIAL FOR RECIPIENT EYES ONLY with COURTESY COPY
REDACTED MOTION WITHOUT EXHIBITS TO RECIPIENT:

US Attorney for
Washington District of Columbia
Judiciary Center Building
555 Fourth Street NW
Washington DC 20530

PAUL EDWARD IREY
c/o CHRISTOPHER EARL STRUNK
593 Vanderbilt Avenue PMB 281
Brooklyn, New York

JOSHUA PEPPER, AAG for
Eric Schneiderman, Attorney General for
The State of New York
120 Broadway 25th Floor
New York, New York 10271

The Honorable David L. Schmidt J.S.C.
New York Supreme Court for the County of Kings
Part 47 Courtroom 541
360 Adams Street
Brooklyn, New York 11201

H. William Van Allen
351 North Road
Hurley, New York 12443

The Honorable Ron Johnson
United States Senator from the State of Wisconsin
328 Hart Senate Office Building
Washington, DC 20510

MICHAEL SHRIMPTON
8 Jusons Glebe,
Wendover, United Kingdom HP22 6PF

The Honorable Jeff Sessions
United States Senator from the State of Alabama
326 Russell Senate Office Building
Washington, DC 20510

Harold Van Allen

From: Harold Van Allen <hvanallen@hvc.rr.com>
Sent: Thursday, February 5, 2015 9:40 PM
To: Larry Klayman Esq (leklayman@gmail.com); Larry Klayman Esq (leklayman@yahoo.com); craig. lawrence (craig.lawrence@usdoj.gov); Christopher Earl Strunk (CEStrunck@yahoo.com)
Subject: <https://www.scribd.com/doc/254873203/USCA-DCC-14-5327-Motion-for-Judicial-Notice-of-USCA-DCC-14-5325-as-Related-Case-Arpaio-v-Obama-Appellant-Brief-and-Appendix-I-II>

<https://www.scribd.com/doc/254873203/USCA-DCC-14-5327-Motion-for-Judicial-Notice-of-USCA-DCC-14-5325-as-Related-Case-Arpaio-v-Obama-Appellant-Brief-and-Appendix-I-II>

From: Harold Van Allen [mailto:hvanallen@hvc.rr.com]
Sent: Thursday, February 5, 2015 9:04 PM
To: Larry Klayman Esq (leklayman@gmail.com); Larry Klayman Esq (leklayman@yahoo.com); craig. lawrence (craig.lawrence@usdoj.gov); Christopher Earl Strunk (CEStrunck@yahoo.com)
Subject: RE: Emailing: USCA-DCC 14-5327 Motion for Judicial Notice of USCA-DCC 14-5325 as Related Case Arpaio v Obama Appellant Brief and Appendix I II

General Docket United States Court of Appeals for District of Columbia Circuit

Court of Appeals Docket #: 14-5327 **Docketed:** 12/29/2014
Nature of Suit: 2890 Other Statutory Actions
Christopher Strunk, et al v. DOS, et al
Appeal From: United States District Court for the District of Columbia
Fee Status: IFP Pending USDC

Case Type Information:

- 1) Civil US
- 2) United States
- 3)

Originating Court Information:

District: 0090-1 : 14-cv-00395-RJL **Lead:** 14-cv-00395-RJL
Trial Judge: Richard J. Leon, U.S. District Judge
Date Filed: 06/10/2014
Date Order/Judgment: 11/10/2014 **Date NOA Filed:** 12/10/2014

Prior Cases:
None

Current Cases:
None

Panel Assignment: Not available

Christopher Earl Strunk

Plaintiff - Appellant

Christopher Earl Strunk
Direct: 845-901-6767
[NTC Pro Se]
Firm: 212-307-4444
593 Vanderbilt Avenue
#281
Brooklyn, NY 11238

Harold W. Van Allen

Plaintiff - Appellant

Harold W. Van Allen
Direct: 845-389-4366
Email: hvanallen@hvcrr.com
[NTC Pro Se]
Firm: 845-389-4366
351 North Road
Hurley, NY 12443

v.

United States Department of State

Defendant - Appellee

R. Craig Lawrence
Email: craig.lawrence@usdoj.gov
[LD NTC Gvt Atty USAO/AUSA]
U.S. Attorney's Office
USA Civil Division
Firm: 202-252-2500
555 4th Street, NW
Washington, DC 20530

Central Intelligence Agency

Defendant - Appellee

R. Craig Lawrence
[LD NTC Gvt Atty USAO/AUSA]
(see above)

Barack Hussein Obama

Defendant - Appellee

R. Craig Lawrence
[LD NTC Gvt Atty USAO/AUSA]
(see above)

US Copyright Office

Defendant - Appellee

R. Craig Lawrence
[LD NTC Gvt Atty USAO/AUSA]
(see above)

Eric H. Holder, Jr., US Attorney General

Defendant - Appellee

R. Craig Lawrence
[LD Gvt Atty USAO/AUSA]
(see above)

New York State Board of Elections

Defendant - Appellee

Christopher Earl Strunk; Harold W. Van Allen,

Plaintiffs - Appellants

v.

United States Department of State; Central Intelligence Agency; Barack Hussein Obama; US Copyright Office; Eric H. Holder, Jr., US Attorney General; New York State Board of Elections,

Defendants - Appellees

12/29/2014 US CIVIL CASE docketed. [14-5327]

12/29/2014 17 pg. 1.65 MB NOTICE OF APPEAL filed [1529431] by Christopher Earl Strunk and Harold W. Van Allen seeking review of a decision by the U.S. District Court in 1:14-cv-00995-RJL. Assigned USCA Case Number [14-5327]

12/29/2014 3 pg. 625.47 KB CLERK'S ORDER filed [1529434] directing party to file motion to proceed on appeal in forma pauperis or payment of docketing fee. APPELLANT payment of docketing fee or motion to proceed IFP in district court due 01/28/2015, Failure to respond shall result in dismissal of the case for lack of prosecution; The Clerk is directed to mail this order to appellant by certified mail, return receipt requested and by 1st class mail. [14-5327]

12/29/2014 FIRST CLASS MAIL SENT [1529441] of order [1529434] to both appellants [14-5327]

12/29/2014 CERTIFIED MAIL SENT [1529442] with return receipt requested [Receipt No. 7007 0710 0004 7190 2782 for Strunk, and 7007 0710 0004 7190 2799 for Van Allen] of order [1529434-2]. Certified Mail Receipt due 01/28/2015 from Christopher Earl Strunk and Harold W. Van Allen. [14-5327]

01/08/2015 CERTIFIED MAIL RECEIPT [1531377] RECEIVED from Rob Wharf for order [1529442-2] sent to Appellant Christopher Earl Strunk [14-5327]

01/08/2015 CERTIFIED MAIL RECEIPT [1531425] RECEIVED from Harold Van Allen [signed for on 01/05/2015] for order [1529442-2] sent to Appellant Harold W. Van Allen [14-5327]

01/23/2015 20 pg. 1.19 MB MOTION filed [1534672] by Harold W. Van Allen leave to proceed ifp in the district court [Service Date: 01/28/2015] Pages: 1-10. [14-5327]

01/23/2015 19 pg. 1.18 MB MOTION filed [1534674] by Harold W. Van Allen for judicial notice. [Service Date: 01/28/2015] Pages: 1-10. [14-5327]

01/28/2015 1 pg. 39.51 KB CLERK'S ORDER filed [1534679] referring motion ifp in district court [1534672-2] to the district court for consideration., holding case in abeyance. Case 14-5327 held in abeyance pending IFP decision in 1:14cv995-RJL from U.S. District Court; The Clerk is directed to transmit a copy of this order and the original motion to the district court. [14-5327]

01/30/2015 4 pg. 38.34 KB NOTICE [1535125] filed from Clerk. District Court leave to proceed ifp in the district court is granted for Harold W. Van Allen [Case Number 14-5327; IFP] [14-5327]

01/30/2015 9 pg. 870.7 KB MOTION filed [1535393] by Christopher Earl Strunk leave to proceed ifp in the district court [Service Date: 01/26/2015] Pages: 1-10. [14-5327]

02/02/2015 1 pg. 39.04 KB CLERK'S ORDER filed [1535394] referring appellant Strunk's motion ifp in district court [1535393-2] to the district court for consideration. Case 14-5327 held in abeyance pending decision in 1:14cv995-RJL from U.S. District Court; The Clerk is directed to transmit a copy of this order and the original motion to the district court. [14-5327]

02/04/2015 78 pg. 1.92 MB MOTION filed [1536137] by Harold W. Van Allen for judicial notice. (Response to Motion served by mail due on 02/20/2015) [Service Date: 02/05/2015 by Clerk] Pages: 1-10. [14-5327]

02/04/2015 MOTION filed [1536139] by Harold W. Van Allen for judicial notice.[Electronic Version Unavailable, Original Paper Document in File] (Response to Motion served by mail due on 02/20/2015) [Service Date: 02/05/2015 by Clerk] Pages: 1-10. [14-5327]

-----Original Message-----

From: Harold Van Allen (mailto:hvanallen@hvcir.com)

Sent: Thursday, February 5, 2015 9:02 PM

To: Larry Klayman Esq (lklayman@gmail.com); Larry Klayman Esq (lklayman@yahoo.com); craig. lawrence (craig.lawrence@usdoj.gov); Christopher Earl Strunk (CEStrunk@yahoo.com)

Subject: Emailing: USCA-DCC 14-5327 Motion for Judicial Notice of USCA-DCC 14-5325 as Related Case Arpaio v Obama
Appellant Brief and Appendix I II

Your message is ready to be sent with the following file or link attachments:

USCA-DCC 14-5327 Motion for Judicial Notice of USCA-DCC 14-5325 as Related Case Arpaio v Obama Appellant Brief and Appendix I II

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
FILED

JAN 20 2015

David J. Buckley, Clerk of Court

STATE OF TEXAS, et al.

Plaintiffs,

v.

UNITED STATES OF AMERICA, et al.

Defendants

Case No. 1:14-cv-254

MOTION FOR LEAVE OF COURT TO FILE
AMICUS BRIEF IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION BY JOE ARPAIO AS SHERIFF OF MARICOPA COUNTY

Movant Joe Arpaio, elected Sheriff of Maricopa County, Arizona, ("Sheriff Arpaio") respectfully requests leave to participate as an *amicus curiae* and to file a brief in support of the Plaintiffs' Motion for Preliminary Injunction and causes of action for judgment. The proposed brief is submitted with this motion. Counsel for proposed *amicus curiae* requested counsel for Plaintiffs and Defendants to consent to this motion via e-mail sent on January 13, 2015. Defendants take no position on this motion, while Plaintiffs have not responded.

I. INTEREST OF AMICUS CURIAE AND REASONS FOR BRIEF

The Defendants have presented as their Exhibit #1 the memorandum opinion and decision in Sheriff Arpaio's similar lawsuit. Because the Defendants' Opposition relies significantly upon the decision of Judge Beryl A. Howell in Washington, D.C. in Sheriff Arpaio's case there, this Court now would lack a proper and full briefing of the issues without learning of the position of the Plaintiffs in that case. The citations of the Defendants to Sheriff

Case 1:14-cv-00254 Document 108 Filed in TXSD on 01/20/15 Page 2 of 5

Arpaio's case would not provide a balanced or complete perspective.

Defendants here extensively cite to and rely upon a similar lawsuit filed by Sheriff Arpaio and a decision rendered in that court case – although that decision is on appeal in the U.S. Court of Appeals for the District of Columbia Circuit. ("DC Circuit"). Because Defendants here cite from that precedent to support Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction in this case, the relevance and importance of his knowledge and involvement in this issue is conceded.

Sheriff Arpaio sued in the United States District Court for the District of Columbia ("DC District Court"), Civil Action No. 1:14-cv-01966, President Barack Obama ("President Obama"); Secretary of Homeland Security Jeh Johnson; and Director of the U.S. Citizenship and Immigration Service ("USCIS") Leon Rodriguez to challenge the Defendants' executive action amnesty for illegal aliens.

Arpaio v. Obama necessarily – by the Defendants' timetable, not Sheriff Arpaio's nor the Plaintiffs' actions – has been rushed through briefing and a hearing on an accelerated basis without discovery or development of facts relating to questions such as standing.

Therefore, it would be especially helpful for this Court to understand both points of view on citations here to *Arpaio v. Obama*. Sheriff Arpaio and counsel always expected the issues to be decided mainly on appeal, not in the D.C. District Court.

In sum, the importance of *Arpaio v. Obama*, which Defendants raised, makes it compelling for this Court to consider the fatally flawed nature of the D.C. District Court's order. This amicus brief is being filed now in part because the decision in *Arpaio v. Obama* did not come until December 23, 2014 and Defendants then cited to it significantly in this case here.

Case 1:14-cv-00254 Document 108 Filed in TXSD on 01/20/15 Page 3 of 5

Furthermore, the State of Arizona is one of the Plaintiffs in this case. *Amicus Curiae* Sheriff Arpaio is the elected Sheriff of Maricopa County, Arizona, one of the largest Sheriff's offices in the United States. Maricopa County is the most populated County in the State of Arizona with 4,009,412 citizens.¹ The County holds more than sixty percent (60%) of all of the population of entire State of Arizona. Sheriff Arpaio's Office effectively is nearly all of the State of Arizona in terms of law enforcement. Maricopa County is the fourth most populated County in the United States by most reports. If Maricopa County by itself were a State, the County would be larger by population than twenty-four (24)² of the States within the United States of America and larger than Puerto Rico and more than five times larger than the entire District of Columbia.

Sheriff Arpaio suffers direct economic harm from the Defendants' executive action amnesty for illegal aliens (citizens belonging to a foreign country). On June 15, 2012, Defendants launched their DACA program. As a result, from February 1, 2014, through December 17, 2014, the financial harm from illegal aliens to the Office of the Sheriff of Maricopa County, Arizona was at least \$9,293,619.96 consisting of the costs of holding illegal aliens in the Sheriff's jails, for those inmates flagged with INS "detainers." These costs of jail confinement are but one financial impact, easily quantified.

¹ "State & County Quick Facts," Maricopa County, Arizona, U.S. Census Bureau, <http://quickfacts.census.gov/qfd/states/04/04013.html>

² "State Population by Rank, 2013", InfoPlease, <http://www.infoplease.com/us/states/population-by-rank.html>

Case 1:14-cv-00254 Document 108 Filed in TXSD on 01/20/15 Page 4 of 5

II. PROPOSED AMICUS CURIAE'S BRIEF WILL BE USEFUL TO THE COURT

In his accompanying brief, proposed *Amicus Curiae* supplements Plaintiffs' Motion for Preliminary Injunction by drawing on his unique knowledge and experiences with litigation of these issues and with local law enforcement practices and effective policing.

Sheriff Joe Arpaio of Maricopa, Arizona, hereby respectfully requests leave of court in the Court's discretion to file an *Amicus Curiae* brief in support of the Plaintiffs' Motion for Preliminary Injunction.

Unique among all other parties in the nation and involving first-hand knowledge exclusively available to Sheriff Arpaio and his legal team alone, the Amicus Curiae can inform and advise the Court in detail where exactly the Defendants' arguments miss the mark as to what is actually at stake in the issues to be decided by this Court.

Having litigated on this same issue against the Defendants with the same Defendants' counsel, Amicus Curiae Sheriff Arpaio can ensure that the Court is properly informed on the key issues that may very well be pivotal to the Court's decision and the ultimate resolution on appeal to the U.S. Supreme Court.

A constitutional republic that is governed by laws rather than men and the rule of law even apart from any immigration issues is of supreme importance to the nation and its continued existence as the most successful democracy (constitutional republic) in human history. Amicus Curiae's counsel argued in the D.C. District Court on December 23, 2014, that this is not primarily a case about immigration about following the rule of law and U.S. Constitution.

Case 1:14-cv-00254 Document 108 Filed in TXSD on 01/20/15 Page 5 of 5

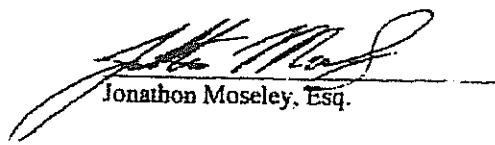
III. CONCLUSION

Proposed *amicus curiae* respectfully requests that this Court grant this motion, allow him to participate as *amici curiae*, and accept for filing the brief submitted with this motion.

Dated: January 16, 2015

Respectfully submitted,

Larry Klayman, Esq.
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(310) 595-0800
leklayman@gmail.com
Of Counsel
(*Pro Hac Vice Application Pending*)

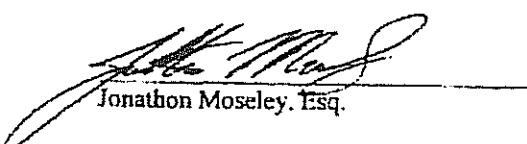


Jonathon Moseley, Esq.

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Attorney for Plaintiff
Pro Hac Vice Approved

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing motion and proposed brief will be delivered electronically on January 16, 2015, to counsel for Plaintiffs and Defendants through the District's Electronic Case Filing system.



Jonathon Moseley, Esq.

Court Name: USDC - SDTX
Division: 1
Receipt Number: DR0803974
Cashier ID: sarahb
Transaction Date: 03/12/2015
Payer Name: HAROLD VAN ALLEN

NOTICE OF APPEAL/DOCKETING FEE
For: HAROLD VAN ALLEN
Case/Party: D-TXG-1-14-CV-000254-081
Amount: \$505.00

CHECK
Check/Money Order Num: 762
Amt Tendered: \$505.00

Total Due: \$505.00
Total Tendered: \$505.00
Change Amt: \$0.00

A fee of \$53.00 will be charged on
any returned negotiable instrument.

FILED
MAR 12 2015

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

Clerk of Court: 600 E. Harrison St. #101 Brownsville, TX 78520 (956)548-2500

STATE OF TEXAS, et al .

Plaintiffs,

v.

Case No. 1:14-cv-00254-ASH

UNITED STATES OF AMERICA, et al.

Defendants

**MOTION FOR LEAVE TO FILE THIS EMERGENCY
INTERVENTION CHALLENGING THE STANDING OF
NON-NATURAL BORN CITIZEN DEFENDANT
BARACK OBAMA -- THE SON OF A NON-US CITIZEN -
- AND THE STANDING OF HIS ADMINISTRATIVLY
SUBORDINATE APPOINTED AGENCIES (DHS et al.)
SECRETARIES/ DIRECTORS.**

**IN THIS CASE OF UNCONSTITUTIONAL EXECUTIVE
ADMINISTRATIVE ACTION OR EXECUTIVE
ORDERED ILLEGAL IMMIGRANT AMNESTY AS
WELL AS CONTEMPT OF INJUNCTION.**

**STANDING OF MOVANT TO INTERVENE TO
CHALLENGE THE STANDING OF NON-NATURAL
BORN CITIZEN BARACK OBAMA**

**HAROLD WILLIAM VAN ALLEN – documented US citizen, military veteran (naval commissioned line officer), and registered federal and NYS voter residing at [REDACTED]
[REDACTED] Hurley, NY 12443**

-- a natural born US citizen of the State of Indiana (Lafayette) b. [REDACTED] 1951 the product of two natural born US citizens – mother a US natural born citizen of Illinois (Chicago) b. [REDACTED] 1913 the product of US natural born citizens of Vermont -- and father a US natural born citizen of Pennsylvania (Pittsburgh) b. [REDACTED], 1913 the product of US natural born citizens of South Carolina and Virginia.

And now having been granted amicus (EXHIBIT A) in the originating multi-state litigation USDC-TXSD B-14-cv-254 “STATE OF TEXAS, ET AL. v UNITED STATES OF AMERICA, ET AL.)



Harold William Van Allen

CERTIFICATION OF ELECTRONIC SERVICE

THIS Tuesday, March 10, 2015 on:

1:14-cv-00254 Notice has been electronically mailed to:

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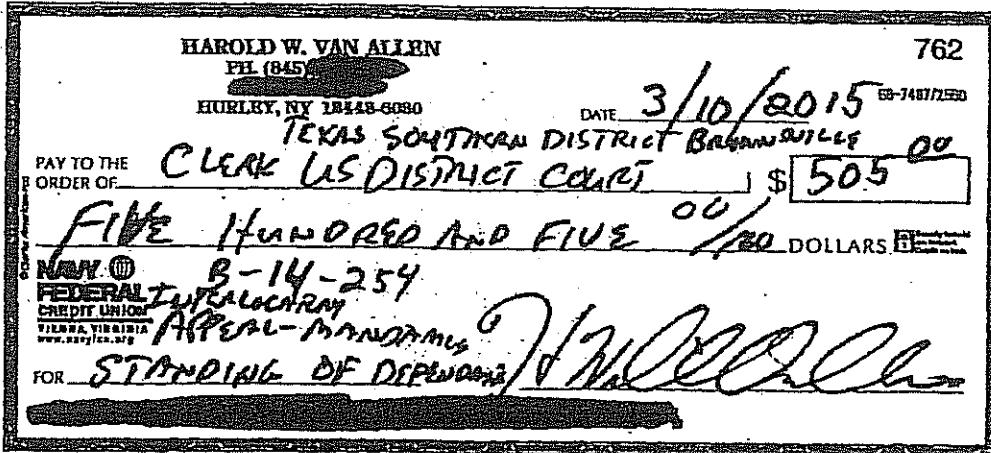
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UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

Clerk of Court: 600 S. Maestri Place; New Orleans, LA 70130-3408 (804) 310-7700

IN RE: HAROLD WILLIAM VAN ALLEN

PETITIONER

15-XXXXX-OP

RELATED ORIGINATING CASES

USDC-TXSD BROWNSVILLE DIVISION

DOCKET 14-cv-254

USCA-5C DOCKET 15-40238

ORIGINAL PETITION / SPECIAL WRIT

HAROLD WILLIAM VAN ALLEN – documented US citizen, military veteran (Navy), resident and registered federal and NYS voter residing at [REDACTED]
NY 12443

-- a natural born US citizen of the State of Indiana (Lafayette) [REDACTED] 1951 the product of two natural born US citizens of Illinois (Chicago) and Pennsylvania (Pittsburgh)

and now having been granted amicus (EXHIBIT A) in the originating multi-state litigation USDC-TXSD B-14-cv-254

"STATE OF TEXAS, ET AL. v UNITED STATES OF AMERICA, ET AL.)

I request leave of the court to file this Original Proceeding or special writ seeking this US COURT OF APPEALS for the Fifth Circuit undertake as a trial court the vetting of aka Barack Obama eligibility qualifications to hold office of POTUS/CINC and to self-execute under administrative procedure act a blank amnesty of millions of undocumented aliens.



Harold William Van Allen

CERTIFICATION OF ELECTRONIC SERVICE

THIS Wednesday, March 4, 2015 on:

1:14-cv-00254 Notice has been electronically mailed to:

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sabrina.wycoff@texasattorneygeneral.gov, vera.calamus@texasattorneygeneral.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
ENTERED

STATE OF TEXAS, ET AL., §
Plaintiffs, §
§
V. §
§
UNITED STATES OF AMERICA, ET AL., §
Defendants. §

FEB 20 2015

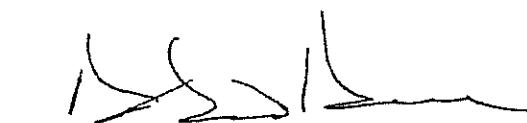
David J. Bradley, Clerk of Court
CIVIL NO. B-14-254

ORDER

Before the Court is Defendant-Intervenors' Motion for Leave to Proceed Under Pseudonyms [Doc. No. 92], Motion for Leave of Court to File Amicus Brief in Support of Plaintiffs' Motion for Preliminary Injunction by Joe Arpaio as Sheriff of Maricopa County [Doc. No. 107], and Harold William Van Allen's Motion for Leave to File Amicus [Doc. No. 139].

The Court, after due consideration, hereby denies Defendant-Intervenors' Motion for Leave to Proceed Under Pseudonyms [Doc. No. 92] as moot, grants the Motion for Leave of Court to File Amicus Brief in Support of Plaintiffs' Motion for Preliminary Injunction by Joe Arpaio as Sheriff of Maricopa County [Doc. No. 107], and grants Harold William Van Allen's Motion for Leave to File Amicus [Doc. No. 139].

Signed this 15^K day of February, 2015.


Andrew S. Hanen
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

Clerk of Court: 600 E. Harrison St. #101 Brownsville, TX 78520 (956)548-2500

STATE OF TEXAS, et al .

Plaintiffs,

v.

Case No. 1:14-cv-00254-ASH

UNITED STATES OF AMERICA, et al.

Defendants

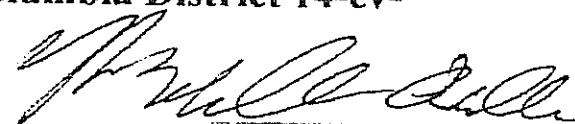
MOTION for Leave to File in support of plaintiffs as an Amicus in a related and already docketed (doc # 108) case “Arpaio v Obama” USCA-DCC 14-cv-5325 and related case USCA-DCC 14-cv-5327 “Strunk et al. v US Department of State et al.

“NOTICE OF MOTION TO SEAL AND ...” in this court as a related multi-state unconstitutional executive amnesty litigation matter “State of Texas et al. v United States of America et al.” 14-cv-254-ASH USDC-TXSD.

01/20/2015 108 MOTION for Leave to File Amicus Brief in Support of Plaintiffs' Motion for Preliminary Injunction by Joe Arpaio as Sheriff of Maricopa County by Joe Arpaio. filed. Motion Docket Date 2/10/2015.
(Attachments: # 1 Proposed Order, # 2 Amicus Brief in Support of Plaintiffs' Motion for Preliminary Injunction by Joe Arpaio as Sheriff of Maricopa County)(jtabares, 1) (Entered: 01/20/2015)

Filed by Harold William Van Allen pro se non-attorney
Plaintiff/Appellant United States Court of Appeals for the
District of Columbia Circuit 14-cv-5327 and United States
District Court for the District of Columbia District 14-cv-
995-RJL

2/8/2015



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Case 1:14-cv-00995-RJL Document 9 Filed 12/10/14 Page 10 of 12

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CHRISTOPHER EARL STRUNK

593 Vanderbilt Avenue PMB 281 NYC, NY 11238

845-901-6767 chris@strunk.ws,

and **H. WILLIAM VAN ALLEN**

351 North Road Hurley NY 12443

845-389-4366 hvanallen@hvc.rr.com

Case No.: 14-cv-00995 (RJL.)

Plaintiffs,

NOTICE OF MOTION

TO SEAL AND

U.S. DEPARTMENT OF STATE (DOS) by

JOHN F. KERRY (SOS) at 2201 C Street NW

Washington, DC 20520 TTY:1-800-877-8339

CENTRAL INTELLIGENCE AGENCY

by JOHN O. BRENNAN, DCI

Washington, D.C. 20505 Fax: (571) 204-3800

BARACK HUSSEIN OBAMA II

1600 Pennsylvania Ave. NW Washington DC 20500

U.S. COPYRIGHT OFFICE

101 Independence Avenue SE

Washington, DC 20559-6000 (202) 707-3000

and THE NEW YORK STATE BOARD

OF ELECTIONS and its agents at

40 North Pearl Street, Suite 5

Albany, NY 12207-2729 Fax (518) 486-4068

[REDACTED]

[REDACTED]

Defendants.

ERIC HOLDER, US ATTORNEY GENERAL

450 Pennsylvania Ave NW Washington DC 20530

PLEASE TAKE NOTICE that upon the annexed affidavit of Christopher-Earl Strunk

affirmed November 8, 2014 with exhibits will move with Fed Rules of Civil Procedure and

Local Rules to Seal the Case and [REDACTED]

until further notice as supplement to the Motion Reargue the Order to Dismiss entered June 16,

2014 in order to Supplement the Complaint filed 10 June 2014 with Fed. R. Civ. P. Rule

15(a)(1)(A), and Rule 19(a)(1)(A)(B), heard before the Honorable Richard J. Leon USDD at the

Case 1:14-cv-00995-RJL Document 9 Filed 12/10/14 Page 11 of 12

designated Courtroom in the Courthouse at 333 Constitution Avenue NW Washington DC
20001, before the 24th day of November 2014, at a time designated by the Court or as soon
thereafter as counsel can be heard.

Dated: Brooklyn, New York
November 8th, 2014

/s/

Christopher Earl Strunk in esse Sui juris
secured beneficiary agent of the Debtor Trust
transmitting utility TM CHRISTOPHER EARL
STRUNK Plaintiff, the Executor and Settlor
for the Express Deed In Trust To The United
States Of America located at
593 Vanderbilt Avenue - PMB 281
Brooklyn, New York Zipcode excepted 11238
Cell: 845-901-6767 Email: chris@strunk.ws

SERVICE LIST:

PERSONAL & CONFIDENTIAL FOR RECIPIENT EYES ONLY with COURTESY COPY
REDACTED MOTION WITHOUT EXHIBITS TO RECIPIENT:

US Attorney for
Washington District of Columbia
Judiciary Center Building
555 Fourth Street NW
Washington DC 20530

JOSHUA PEPPER AAG for
Eric Schneiderman, Attorney General for
The State of New York
120 Broadway 25th Floor
New York, New York 10271

H. William Van Allen
351 North Road
Hurley, New York 12443

MICHAEL SHRIMPTON
8 Jusons Glebe,
Wendover, United Kingdom HP22 6PF

PAUL EDWARD IREY
c/o CHRISTOPHER EARL STRUNK
593 Vanderbilt Avenue PMB 281
Brooklyn, New York

The Honorable David I. Schmidt J.S.C.
New York Supreme Court for the County of Kings
Part 47 Courtroom 541
360 Adams Street
Brooklyn, New York 11201

The Honorable Ron Johnson
United States Senator from the State of Wisconsin
328 Hart Senate Office Building
Washington, DC 20510

The Honorable Jeff Sessions
United States Senator from the State of Alabama
326 Russell Senate Office Building
Washington, DC 20510

Harold Van Allen

From: Harold Van Allen <hvanallen@hvc.rr.com>
Sent: Thursday, February 5, 2015 9:40 PM
To: Larry Klayman Esq (lklayman@gmail.com); Larry Klayman Esq (lklayman@yahoo.com); craig. lawrence (craig.lawrence@usdoj.gov); Christopher Earl Strunk (CEStrunck@yahoo.com)
Subject: <https://www.scribd.com/doc/254873203/USCA-DCC-14-5327-Motion-for-Judicial-Notice-of-USCA-DCC-14-5325-as-Related-Case-Arpaio-v-Obama-Appellant-Brief-and-Appendix-1-II>

<https://www.scribd.com/doc/254873203/USCA-DCC-14-5327-Motion-for-Judicial-Notice-of-USCA-DCC-14-5325-as-Related-Case-Arpaio-v-Obama-Appellant-Brief-and-Appendix-I-II>

From: Harold Van Allen [mailto:hvanallen@hvc.rr.com]
Sent: Thursday, February 5, 2015 9:04 PM
To: Larry Klayman Esq (leklayman@gmail.com); Larry Klayman Esq (leklayman@yahoo.com); craig. lawrence (craig.lawrence@usdoj.gov); Christopher Earl Strunk (CEStrunk@yahoo.com)
Subject: RE: Emailing: USCA-DCC 14-5327 Motion for Judicial Notice of USCA-DCC 14-5325 as Related Case Arpaio v. Obama Appellant Brief and Appendix I II

General Docket
United States Court of Appeals for District of Columbia Circuit

Court of Appeals Docket #: 14-5327
Nature of Suit: 2890 Other Statutory Actions
Christopher Strunk, et al v. DOS, et al
Appeal From: United States District Court for the District of Columbia
Fee Status: IFP Pending USDC

Docketed: 12/29/2014

Case Type Information:

- 1) Civil US
 - 2) United States
 - 3)

Originating Court Information:

District: 0090-1 : 114-cv-00995-RJL
Trial Judge: Richard J. Leon, U.S. District Judge

Lead: 2014-01-00998-RJL

Date Filed: 06/10/2014 **Date NOA Filed:**
Date Order/Judgment: 11/10/2014 **12/10/2014**

Prior Cases -

None

Current Cases:

None

Panel Assignment: Not available

Christopher Earl Strunk

Plaintiff - Appellant

Christopher Earl Strunk
Direct: 845-901-6767
[NTC Pro Se]
Firm: 212-307-4444
593 Vanderbilt Avenue
#281
Brooklyn, NY 11238

Harold W. Van Allen

Plaintiff - Appellant

Harold W. Van Allen
Direct: 845-389-4366
Email: hvanallen@hvanallen.com
[NTC Pro Se]
Firm: 845-389-4366
351 North Road
Hurley, NY 12443

v.

United States Department of State

Defendant - Appellee

R. Craig Lawrence
Email: craig.lawrence@usao.gov
[LD NTC Gvt Atty USAO/AUSA]
U.S. Attorney's Office
(USA) Civil Division
Firm: 202-252-2500
555 4th Street, NW
Washington, DC 20530

Central Intelligence Agency

Defendant - Appellee

R. Craig Lawrence
[LD NTC Gvt Atty USAO/AUSA]
(see above)

Barack Hussein Obama

Defendant - Appellee

R. Craig Lawrence
[LD NTC Gvt Atty USAO/AUSA]
(see above)

US Copyright Office

Defendant - Appellee

R. Craig Lawrence
[LD NTC Gvt Atty USAO/AUSA]
(see above)

Eric H. Holder, Jr., US Attorney General

Defendant - Appellee

R. Craig Lawrence
[LD Gvt Atty USAO/AUSA]
(see above)

New York State Board of Elections

Defendant - Appellee

Christopher Earl Strunk; Harold W. Van Allen,

Plaintiffs - Appellants

v.

United States Department of State; Central Intelligence Agency; Barack Hussein Obama; US Copyright Office; Eric H. Holder, Jr., US Attorney General; New York State Board of Elections,

Defendants - Appellees

12/29/2014 US CIVIL CASE docketed. [14-5327]

12/29/2014 17 pg. 1.65 MB NOTICE OF APPEAL filed [1529431] by Christopher Earl Strunk and Harold W. Van Allen seeking review of a decision by the U.S. District Court in 1:14-cv-00995-RJL. Assigned USCA Case Number [14-5327]

12/29/2014 3 pg. 625.47 KB CLERK'S ORDER filed [1529434] directing party to file motion to proceed on appeal in forma pauperis or payment of docketing fee. APPELLANT payment of docketing fee or motion to proceed IFP in district court due 01/28/2015, Failure to respond shall result in dismissal of the case for lack of prosecution; The Clerk is directed to mail this order to appellant by certified mail, return receipt requested and by 1st class mail. [14-5327]

12/29/2014 FIRST CLASS MAIL SENT [1529441] of order [1529434] to both appellants [14-5327]

12/29/2014 CERTIFIED MAIL SENT [1529442] with return receipt requested [Receipt No.7007 0710 0004 7190 2782 for Strunk, and 7007 0710 0004 7190 2799 for Van Allen] of order [1529434-2]. Certified Mail Receipt due 01/28/2015 from Christopher Earl Strunk and Harold W. Van Allen. [14-5327]

01/08/2015 CERTIFIED MAIL RECEIPT [1531377] RECEIVED from Rob Wharf for order [1529442-2] sent to Appellant Christopher Earl Strunk [14-5327]

01/08/2015 CERTIFIED MAIL RECEIPT [1531425] RECEIVED from Harold Van Allen [signed for on 01/05/2015] for order [1529442-2] sent to Appellant Harold W. Van Allen [14-5327]

01/23/2015 20 pg. 1.19 MB MOTION filed [1534672] by Harold W. Van Allen leave to proceed ifp in the district court [Service Date: 01/28/2015] Pages: 1-10. [14-5327]

01/23/2015 19 pg. 1.18 MB MOTION filed [1534674] by Harold W. Van Allen for judicial notice. [Service Date: 01/28/2015] Pages: 1-10. [14-5327]

01/28/2015 1 pg. 39.51 KB CLERK'S ORDER filed [1534679] referring motion ifp in district court [1529434-2] to the district court for consideration.. holding case in abeyance. Case 14-5327 held in abeyance pending IFP decision in 1:14cv995-RJL from U.S. District Court; The Clerk is directed to transmit a copy of this order and the original motion to the district court. [14-5327]

01/30/2015 4 pg. 33.34 KB NOTICE [1535125] filed from Clerk. District Court leave to proceed ifp in the district court is granted for Harold W. Van Allen [Case Number 14-5327: IFP] [14-5327]

01/30/2015 9 pg. 870.7 KB MOTION filed [1535393] by Christopher Earl Strunk leave to proceed ifp in the district court [Service Date: 01/26/2015] Pages: 1-10. [14-5327]

02/02/2015 1 pg. 39.04 KB CLERK'S ORDER filed [1535394] referring appellant Strunk's motion ifp in district court [1535393-2] to the district court for consideration. Case 14-5327 held in abeyance pending decision in 1:14cv995-RJL from U.S. District Court; The Clerk is directed to transmit a copy of this order and the original motion to the district court. [14-5327]

02/04/2015 78 pg. 1.92 MB MOTION filed [1536137] by Harold W. Van Allen for judicial notice. (Response to Motion served by mail due on 02/20/2015) [Service Date: 02/05/2015 by Clerk] Pages: 1-10. [14-5327]

02/04/2015 MOTION filed [1536139] by Harold W. Van Allen for judicial notice.[Electronic Version Unavailable, Original Paper Document in File] (Response to Motion served by mail due on 02/20/2015) [Service Date: 02/05/2015 by Clerk] Pages: 1-10. [14-5327]

-----Original Message-----

From: Harold Van Allen [mailto:hvanallen@hvc.law.com]

Sent: Thursday, February 5, 2015 9:02 PM

To: Larry Klayman Esq (larryklayman@gmail.com); Larry Klayman Esq (larryklayman@yahoo.com); craig. lawrence (craig.lawrence@usdoj.gov); Christopher Earl Strunk (CEStrunk@yahoo.com)

Subject: Emailing: USCA-DCC 14-5327 Motion for Judicial Notice of USCA-DCC 14-5325 as Related Case Arpaio v Obama Appellant Brief and Appendix I II

Your message is ready to be sent with the following file or link attachments:

USCA-DCC 14-5327 Motion for Judicial Notice of USCA-DCC 14-5325 as Related Case Arpaio v Obama Appellant Brief and Appendix I II

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Case 1:14-cv-00254 Document 108 Filed in TXSD on 01/20/15 Page 1 of 5

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
FILED

JAN 20 2015

David J. Branczy, Clerk of Court

STATE OF TEXAS, et al.

Plaintiffs,

v.

UNITED STATES OF AMERICA, et al.

Defendants

Case No. 1:14-cv-254

MOTION FOR LEAVE OF COURT TO FILE
AMICUS BRIEF IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION BY JOE ARPAIO AS SHERIFF OF MARICOPA COUNTY

Movant Joe Arpaio, elected Sheriff of Maricopa County, Arizona, ("Sheriff Arpaio") respectfully requests leave to participate as an *amicus curiae* and to file a brief in support of the Plaintiffs' Motion for Preliminary Injunction and causes of action for judgment. The proposed brief is submitted with this motion. Counsel for proposed *amicus curiae* requested counsel for Plaintiffs and Defendants to consent to this motion via e-mail sent on January 13, 2015. Defendants take no position on this motion, while Plaintiffs have not responded.

I. INTEREST OF AMICUS CURIAE AND REASONS FOR BRIEF

The Defendants have presented as their Exhibit #1 the memorandum opinion and decision in Sheriff Arpaio's similar lawsuit. Because the Defendants' Opposition relies significantly upon the decision of Judge Beryl A. Howell in Washington, D.C. in Sheriff Arpaio's case there, this Court now would lack a proper and full briefing of the issues without learning of the position of the Plaintiffs in that case. The citations of the Defendants to Sheriff

Case 1:14-cv-00254 Document 108 Filed in TXSD on 01/20/15 Page 2 of 5

Arpaio's case would not provide a balanced or complete perspective.

Defendants here extensively cite to and rely upon a similar lawsuit filed by Sheriff Arpaio and a decision rendered in that court case – although that decision is on appeal in the U.S. Court of Appeals for the District of Columbia Circuit. ("DC Circuit"). Because Defendants here cite from that precedent to support Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction in this case, the relevance and importance of his knowledge and involvement in this issue is conceded.

Sheriff Arpaio sued in the United States District Court for the District of Columbia ("DC District Court"), Civil Action No. 1:14-cv-01966, President Barack Obama ("President Obama"); Secretary of Homeland Security Jeh Johnson; and Director of the U.S. Citizenship and Immigration Service ("USCIS") Leon Rodriguez to challenge the Defendants' executive action amnesty for illegal aliens.

Arpaio v. Obama necessarily – by the Defendants' timetable, not Sheriff Arpaio's nor the Plaintiffs' actions – has been rushed through briefing and a hearing on an accelerated basis without discovery or development of facts relating to questions such as standing.

Therefore, it would be especially helpful for this Court to understand both points of view on citations here to *Arpaio v. Obama*. Sheriff Arpaio and counsel always expected the issues to be decided mainly on appeal, not in the D.C. District Court.

In sum, the importance of *Arpaio v. Obama*, which Defendants raised, makes it compelling for this Court to consider the fatally flawed nature of the D.C. District Court's order. This amicus brief is being filed now in part because the decision in *Arpaio v. Obama* did not come until December 23, 2014 and Defendants then cited to it significantly in this case here.

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Furthermore, the State of Arizona is one of the Plaintiffs in this case. *Amicus Curiae* Sheriff Arpaio is the elected Sheriff of Maricopa County, Arizona, one of the largest Sheriff's offices in the United States. Maricopa County is the most populated County in the State of Arizona with 4,009,412 citizens.¹ The County holds more than sixty percent (60%) of all of the population of entire State of Arizona. Sheriff Arpaio's Office effectively is nearly all of the State of Arizona in terms of law enforcement. Maricopa County is the fourth most populated County in the United States by most reports. If Maricopa County by itself were a State, the County would be larger by population than twenty-four (24)² of the States within the United States of America and larger than Puerto Rico and more than five times larger than the entire District of Columbia.

Sheriff Arpaio suffers direct economic harm from the Defendants' executive action amnesty for illegal aliens (citizens belonging to a foreign country). On June 15, 2012, Defendants launched their DACA program. As a result, from February 1, 2014, through December 17, 2014, the financial harm from illegal aliens to the Office of the Sheriff of Maricopa County, Arizona was at least \$9,293,619.96 consisting of the costs of holding illegal aliens in the Sheriff's jails, for those inmates flagged with INS "detainers." These costs of jail confinement are but one financial impact, easily quantified.

¹ "State & County Quick Facts," Maricopa County, Arizona, U.S. Census Bureau.
<http://quickfacts.census.gov/qfd/states/04/04013.html>

² "State Population by Rank, 2013", InfoPlease.
<http://www.infoplease.com/us/states/population-by-rank.html>

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II. PROPOSED AMICUS CURIAE'S BRIEF WILL BE USEFUL TO THE COURT

In his accompanying brief, proposed *Amicus Curiae* supplements Plaintiffs' Motion for Preliminary Injunction by drawing on his unique knowledge and experiences with litigation of these issues and with local law enforcement practices and effective policing.

Sheriff Joe Arpaio of Maricopa, Arizona, hereby respectfully requests leave of court in the Court's discretion to file an *Amicus Curiae* brief in support of the Plaintiffs' Motion for Preliminary Injunction.

Unique among all other parties in the nation and involving first-hand knowledge exclusively available to Sheriff Arpaio and his legal team alone, the Amicus Curiae can inform and advise the Court in detail where exactly the Defendants' arguments miss the mark as to what is actually at stake in the issues to be decided by this Court.

Having litigated on this same issue against the Defendants with the same Defendants' counsel, Amicus Curiae Sheriff Arpaio can ensure that the Court is properly informed on the key issues that may very well be pivotal to the Court's decision and the ultimate resolution on appeal to the U.S. Supreme Court.

A constitutional republic that is governed by laws rather than men and the rule of law even apart from any immigration issues is of supreme importance to the nation and its continued existence as the most successful democracy (constitutional republic) in human history. Amicus Curiae's counsel argued in the D.C. District Court on December 23, 2014, that this is not primarily a case about immigration about following the rule of law and U.S. Constitution.

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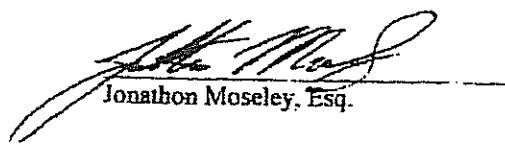
III. CONCLUSION

Proposed *amicus curiae* respectfully requests that this Court grant this motion, allow him to participate as *amici curiae*, and accept for filing the brief submitted with this motion.

Dated: January 16, 2015

Respectfully submitted,

Larry Klayman, Esq.
Washington, D.C. Bar No. 334581
Freedom Watch, Inc.
2020 Pennsylvania Avenue N.W., Suite 345
Washington, D.C. 20006
(310) 595-0800
leklayman@gmail.com
Of Counsel
(*Pro Hac Vice Application Pending*)

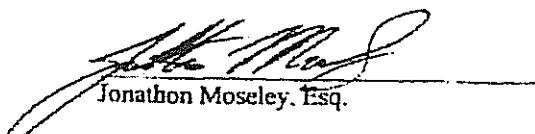


Jonathon Moseley, Esq.

Virginia State Bar No. 41058
Freedom Watch, Inc.
2020 Pennsylvania Avenue N.W., Suite 345
Washington, D.C. 20006
(310) 595-0800
leklayman@gmail.com
Attorney for Plaintiff
Pro Hac Vice Approved

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing motion and proposed brief will be delivered electronically on January 16, 2015, to counsel for Plaintiffs and Defendants through the District's Electronic Case Filing system.



Jonathon Moseley, Esq.

Court Name: USDC - SDTX
Division: 1
Receipt Number: BR0003974
Cashier ID: sarahb
Transaction Date: 03/12/2015
Payer Name: HAROLD VAN ALLEN

NOTICE OF APPEAL/DOCKETING FEE
For: HAROLD VAN ALLEN
Case/Party: D-TXS-1-14-CV-000254-001
Amount: \$505.00

CHECK
Check/Money Order Num: 762
Amt Tendered: \$505.00

Total Due: \$505.00
Total Tendered: \$505.00
Change Amt: \$0.00

A fee of \$53.00 will be charged on
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